

**REGULAR MEETING OF THE
TOWN OF ROLESVILLE
PLANNING BOARD
June 1, 2020**

PRESENT: Mark Powers, Mike Moss, Frank Pearce, Jim Schwartz, Ruth Payne, Donnie Lawrence, Davion Cross, Town Attorney Dave Neill, Town Board Member and Planning Board Liaison Michelle Medley, Planning Director Danny Johnson

CALL TO ORDER

Chairman Mark Powers called the meeting to order at 7:00 p.m.

INVOCATION

Board Member Moss gave the invocation.

PLEDGE OF ALLEGIANCE

The board collectively recited the Pledge of Allegiance.

INTRODUCTION OF NEW PLANNING STAFF- JULIE SPRIGGS

APPROVAL OF MINUTES

Upon a motion by *Board Member Frank Pearce* and seconded by *Board Member Donnie Lawrence*, the minutes of February 24, 2020 were approved by unanimous vote.

***Important note the March 23, 2020, and April 27, 2020 Planning Board meetings were cancelled due to COVID-19 restrictions. The May 18, 2020 meeting was rescheduled to June 1, 2020.**

UDO TA-20-01 AMENDMENT TO ARTICLE 5 AND ARTICLE 6, R-III ZONING DISTRICT- ADDITION OF SINGLE-FAMILY DWELLINGS AS A PERMITTED USE.

Petition received from Hopper Communities, as current zoning only permits townhomes and multi-family dwellings with limitations in the district not to exceed twenty thousand square feet.

*Current options are R-I, R-II, R-III. If approved, this would allow a fourth option.

*No option in UDO with lot sizes less than fifteen thousand square feet, except in R-PUD. R-III change would include minimum lot size of six thousand square feet, minimum lot width of fifty square feet, front yard setback of twenty-five feet; side yard setback would be five feet with a ten-foot aggregate rear setback of twenty-five feet, and the corner side yard setback of fifteen feet. This proposal uses similar standards as in the Residential PUD.

*A study conducted recently of other towns with traditional zoning classifications with ten thousand or less square feet zoning standards.

*Cary, Morrisville, Raleigh, Wake Forest and Wendell have a traditional zoning district of six-thousand square feet or less.

*Holly Springs has a minimum zoning classification of eight thousand square feet; Garner has nine thousand square feet.

*Fuquay-Varina has a ten thousand minimum, but they have open space development option, which allows for a more flexible standard.

*Apex does not have a minimum lot size in two of its districts.

*Knightdale has a form-based code, which does not have minimum lot sizes in it.

The Planning Department finds the proposed text amendment will address condition in the UDO and is in the public's interest. The change is consistent with comprehensive plan to allow revisions to the UDO's R-III rezoning classification to add single-family dwellings, with minimum lots sizes that are similar to the surrounding communities.

Planning Board member Ruth Payne questioned the five-foot side yard setback or ten-feet between structures similar to Carlton Pointe. Planning Director Danny Johnson noted NC Building Code states ten feet is the minimum allowable.

Planning Board member Jim Schwartz questioned if this would prevent fencing or ornamental bushes. Planning Director Danny Johnson stated it would not prevent fencing, and there is no specific code as to what types/kinds of bushes you use in your landscaping.

Planning Board member Frank Pearce raised the concern of parking issues, density and lot sizes.

Planning Board Liaison Michelle Medley raised traffic concerns; clarified the Town Board has not gone away from PUD's.

Planning Board member Ruth Payne questioned green space as required in a PUD. Ten percent is still required according to Planning Director Danny Johnson stated some areas are not buildable due to stream buffers and wetland and other conditions that fall under the open space. Six thousand square feet is the requested size, however the board can recommend another size. Price point is a concern for those impacted by smaller homes with lower costs, versus larger homes.

Petitioner Beth Trahos Attorney with Nelson Mullins entered to address the board in support of the text change.

*Six thousand square feet lot size minimum, lower pricing allows greatest amount of flexibility.

*With varying home sizes for older parents or first time buyers looking for smaller homes (to be placed in the middle).

*On June 22 they would like to propose ninety-one acres, three hundred thirty five total units including roughly one hundred townhomes, with larger lots, and additional open space areas. There are fewer lots than were originally proposed.

Planning Board member Jim Schwartz, raised concern about side yard setbacks at five feet, and is concerned about how the town will look.

Planning Board member Ruth Payne, raised concern about lot size and price point, over – crowding and maintaining value. Appropriate time to discuss infrastructure is during the zoning case.

Planning Board Vice Chairman Mike Moss asked if they would consider larger lots say eight thousand square feet. Beth Trahos responded it would be difficult.

- **Important Note:** *Town Attorney Dave Neill* addressed the board about two legal issues in the conversation.

1) The Board of Commissioners has adopted a formal policy discouraging the submission of PUD zoning districts for consideration to the town of Rolesville until the UDO is complete. It is his understanding the applicant intended to submit a PUD, but has been advised against, which is where they identify the need for single-family detached in the conditional zoning space.

2) Reminded of the training session, distinguishing the difference between Quasi-Judicial and Legislative. Challenge of a small community. If the applicant meets all of the standards, they get their application approved by right under the Quasi-Judicial side. Under the Legislative side, the applicant does not have those rights. It is a policy choice, is it what we want to see in our town. We get to decide consistent with our comprehensive plan, consistent with our zoning ordinances and if needed can request conditions, or the board as policy makers can just say no thank you.

Moved by *Planning Board Member Donnie Lawrence* to approve the text amendment for Case TA-20-01 Article 5 and Article 6, R-III Zoning District to add Single Family dwellings as a permitted use; seconded by *Planning Board Member Frank Pearce*. Motion carried by unanimous vote.

UDO TA 20-03 AMENDMENT TO ARTICLE 10- SECTION 10.1 ADD SENIOR HOUSING PARKING STANDARDS

Julie Spriggs Planner II presented a Text amendment brought forth by Taft Mills Group. Request to reduce the number of parking spaces required for off street spaces, from two spaces per dwelling unit, to one space.

*Ramey Kemp Transportation Associates reviewed the request for parking reduction, and completed a data collection at similar existing sites utilizing the Institute of Transportation Engineers parking generation fifth edition manual. Study determined that our standards are double what they need to be.

*Current parking is under-utilized, especially here in Rolesville as we use about half a parking space instead of two full parking spaces per dwelling unit.

-Suggest reducing numbers so storm water run-off control, tree preservation; environmental controls become easier with less impervious surface and less parking to utilize the site for other things.

*Add differentiation between multi-family dwellings and adding definition of senior housing as age restricted housing consistent with housing and urban development guidelines for the fair housing act, housing for older persons age fifty five and older to Section 16.3. The comprehensive goals D-4 and LU-2 surface parking requirements make it easier for builders to follow the code. Planning staff recommends approval.

Moved by *Planning Board Member Ruth Payne* to approve the text amendment for Case TA-20-03 Amendment to Article 10- Section 10.1- add Senior Housing Parking standards, Section 10.1.10 number of required off street parking spaces and Article 16 Definitions Section 16.3 definitions of commonly used terms and words; seconded by *Planning Board Member Jim Schwartz*. Motion carried by unanimous vote.

PR 18-02 Chandler's Ridge Preliminary Subdivision Plat (Conservation Subdivision)

Planning Director Danny Johnson summarized this case for the board, noting this case is coming to the planning board for recommendation, however when this case goes before the town board, it will require a special use permit for the conservation subdivision. A conservation subdivision in our ordinance allows a reduction in the lot sizes and widths based on forty percent open space or better. Some of this property is in the Little River watershed. Merger agreement with City of Raleigh regarding water and sewer created a split in this property. Thoroughfare plan proposed road from Jones Dairy road to Pulley Town road across Chandler's Ridge. The town is working with the builder and the U.S. Core of Engineers, and has negotiated a developer's agreement to address a payment of lieu and retain ability to do an alternate if we go the core and design and propose the actual road. This protects the town's ability to build in the future. Planning staff recommendation is to approve.

Teddie Whitley- representing Wright Whitley Development addressed the board. He brought engineers from Bateman Civil Survey to answer questions if necessary. Lots are large at eleven thousand two hundred fifty in front, thirty thousand in the back. Sixty-five hundred square feet and forty six hundred surface on each lot to build upon.

Planning Board member Ruth Payne questioned the price point- response "the builder is looking around \$375k since lots are almost acre, but will probably be closer to \$400-450".

Planning Board Member Donnie Lawrence questioned only single-family- Danny Johnson- R II and R 40-W zoning, which can only be single-family homes.

Planning Board member Jim Schwartz inquired to the conservation land- *Teddie Whitley* replied this back portion dubbed "the dip" sixty acres, and will be deed restricted.

Planning Director Danny Johnson noted the planning staff and the TRC recommended this development.

Moved by *Planning Board Member Donnie Lawrence* to approve the Preliminary Subdivision Plat for Case PR 18-02 Chandler's Ridge; seconded by *Planning Board Member Mike Moss*. Motion carried by unanimous vote.

Planning Board member Jim Schwartz observed the board needs to be aware that it appears smaller lots are being pushed on the east side, and larger lots on the west side creating an "other side of the tracks" type situation. Danny Johnson noted the utilities and restrictions as an element of reasoning.

PLANNING DEPARTMENT'S REPORT

Planning Director Danny Johnson- building permits are strong and finished above budget. Community transportation plan is out, with a request to fill out the survey on our website. CAMPO northeast transportation study is underway in Rolesville. CAMPO is the organization that recommends our needs, and it conducts a study every five years. Funding is in question. Our plan is going to contribute to the study for Jones Dairy, Averette Road, Main Street, Mitchell Mill Forestville, Rogers, NC96 and NC98 to address transportation issues.

Wake County comprehensive plan called Plan Wake is underway and moving forward, raising questions on how to protect rural areas and Little River. Final draft expected fall of 2020.

UDO update- In July there will be a request for a joint meeting of the planning board and town board for a presentation. Town Manager Kelly Arnold is working on date, tentatively set for July 23, but subject to change.

- a) **February Development Report**
- b) **March Development Report**
- c) **April Development Report**

TOWN ATTORNEY'S REPORT

Town Attorney Dave Neil suggested a homework assignment for the board to read Section 2.2 of the UDO. This is the planning board section of responsibilities, duties, powers, organization and how to conduct meetings.

OTHER BUSINESS: None at this time

ADJOURN

There being no more business before the board, upon a motion by *Board Member Mike Moss* and second by *Board Member Donnie Lawrence*, the meeting was unanimously adjourned at 9:14 p.m.



Mark Powers, Chairman

ATTEST:



Shelly Raby, Development Specialist